

REMARKS

Claims 39-61 are pending, with claims 39, 43, 50 and 54 being independent. Claims 39, 50 and 54 have been amended. No new matter has been introduced.

Initially, applicant acknowledges with appreciation the Examiner's allowance of claims 43-49.

Claims 39, 50, 59 and 60 have been rejected as being anticipated by Shimizu (U.S. Patent No. 5,217,910), and claims 40-42 and 51-53 have been rejected as being unpatentable over Shimizu. Applicant requests reconsideration and withdrawal of this rejection because Shimizu does not describe or suggest first and second impurity regions formed in the channel region, with the first and second impurity regions being in contact with the same one of the source and drain regions, as recited in each of claims 39 and 50.

The Examiner acknowledges that Shimizu discloses that one impurity region is in contact with the source and the other impurity region is in contact with the drain, but the Examiner then argues that the prior claim language did not require the impurity regions to be in contact with the same source region and the same drain region. Applicant has amended claims 39 and 50 (and claim 54) to more clearly recite that the first and second impurity regions are in contact with the same one of the source region and the drain region. In view of these amendments, and the failure of Shimizu to describe or suggest that the first and second impurity regions are in contact with the same one of the source region and the drain region, the rejection should be withdrawn.

Claims 54-58 and 61 have been rejected as being unpatentable over Shimizu in view of Sanchez (U.S. Patent No. 5,583,067). Applicant requests reconsideration and withdrawal of this rejection because Sanchez, like Shimizu, does not describe or suggest first and second impurity regions formed in the channel region, with the first and second impurity regions in contact with the same one of the source region and the drain region, as recited in independent claim 54. Instead, each of the P- doped regions of Sanchez (which the rejection equates with the recited first and second impurity regions) is in contact with a different one of the source region and the drain region of Sanchez. Since neither Shimizu or Sanchez describes or suggests this feature,

Applicant : Akiharu MIYANAGA et al.
Serial No. : 10/667,899
Filed : September 23, 2003
Page : 9 of 9

Attorney's Docket No.: 07977-0254003 / US3823D1D1

any proper combination of Shimizu and Sanchez would also fail to do so. Accordingly, for at least this reason, the rejection should be withdrawn.

Applicant submits that all claims are in condition for allowance.

The fee in the amount of \$490 for a two-month extension of time is being paid concurrently herewith on the electronic filing system (EFS) by way of deposit account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 12/19/08



John F. Hayden
Reg. No. 37640

Customer No. 26171
Fish & Richardson P.C.
1425 K Street, N.W., 11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331